

FILED

FEB 17 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIO SEGURA CEJA,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-74155

Agency No. A29-257-011

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted February 13, 2006^{**}

Before: FERNANDEZ, RYMER, and BYBEE, Circuit Judges.

Mario Segura Ceja, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order summarily affirming an immigration judge's ("IJ") order denying his motion to reopen removal proceedings conducted

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

in absentia. We have jurisdiction under 8 U.S.C. § 1252. Reviewing for abuse of discretion, *Salta v. INS*, 314 F.3d 1076, 1078 (9th Cir. 2002), we deny the petition for review.

The IJ did not abuse his discretion in denying Segura Ceja's motion to reopen because it is undisputed that the notice rescheduling his hearing was sent to his address of record, and that he did not timely notify the Immigration Court that he had moved. *See* 8 C.F.R. § 1003.15(d)(2) (requiring alien to provide written notice within five days of any change of address).

Segura Ceja's remaining contentions, including those alleging a denial of due process, lack merit.

PETITION FOR REVIEW DENIED